

MARY GIDARO, individually and on behalf  
of all others similarly situated,

Plaintiff,

V.

MERRILL LYNCH & CO., INC.; STAN O'NEAL; LOU DIMARIA; INVESTMENT COMMITTEE OF THE MERRILL LYNCH SAVINGS AND INVESTMENT PLAN; ADMINISTRATIVE COMMITTEE OF THE MERRILL LYNCH SAVINGS AND INVESTMENT PLAN; and JOHN DOES 1-30,

**Defendants.**

[additional captions follow]

**NOTICE OF MOTION FOR CONSOLIDATION  
AND APPOINTMENT OF INTERIM COUNSEL FOR THE CLASS**

Ralph M. Stone  
Thomas G. Ciarlone, Jr.  
Amanda C. Scuder  
SHALOV STONE BONNER & ROCCO LLP  
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New York, New York 10018  
(212) 239-4340

*Attorneys for the Plaintiff  
and Proposed Interim Counsel for the Class*

ELIZABETH ESTEY, individually and on behalf of all others similarly situated,

Plaintiff,

V.

MERRILL LYNCH & CO., INC.; MERRILL LYNCH & CO., INC. PLAN "INVESTMENT COMMITTEE," MERRILL LYNCH & CO., INC. PLAN ADMINISTRATIVE COMMITTEE, MERRILL LYNCH & CO., INC. MANAGEMENT DEVELOPMENT AND COMPENSATION COMMITTEE, LOUIS DIMARIA, E. STANLEY O'NEAL, ALBERTO CRIBIORE, ARMANDO M. CODINA, VIRGIS W. COLBERT, JOHN D. FINNEGAN, AULANA L. PETERS and JOHN DOES 1-10,

Case No. 07-CV-10268 (DC)

**Defendants.**

:

TARA MOORE, individually and on behalf of  
all others similarly situated,

Plaintiff,

V.

MERRILL LYNCH & CO., INC.; MERRILL LYNCH & CO., INC. PLAN "INVESTMENT COMMITTEE," MERRILL LYNCH & CO., INC. PLAN ADMINISTRATIVE COMMITTEE, MERRILL LYNCH & CO., INC. MANAGEMENT DEVELOPMENT AND COMPENSATION COMMITTEE, LOUIS DIMARIA, E. STANLEY O'NEAL, ALBERTO CRIBIORE, ARMANDO M. CODINA, VIRGIS W. COLBERT, JOHN D. FINNEGAN, AULANA L. PETERS and JOHN DOES 1-10,

Defendants.

Case No. 07-CV-10398 (DC)



CHRISTINE DONLON, individually and on  
behalf of all others similarly situated,

Plaintiff,

V.

MERRILL LYNCH & CO., INC.; E. STANLEY O'NEAL, CAROL T. CHRIST, ARMANDO M. CODINA, VIRGIS W. COLBERT, JILL K. CONWAY, ALBERTO CRIBIORE, LOUIS DIMARIA, JOHN D. FINNEGAN, JUDITH MAYHEW JONAS, AULANA L. PETERS, JOSEPH W. PRUEHER, ANN N. REESE, CHARLES O. ROSSOTTI, JOHN DOES 1-20 (BEING CURRENT AND FORMER MEMBERS OF THE BENEFITS ADMINISTRATION COMMITTEE OF THE MERRILL LYNCH & CO, INC. EMPLOYEE STOCK OWNERSHIP PLAN) and JOHN DOES 21-40 (BEING CURRENT AND FORMER MEMBERS OF THE INVESTMENT COMMITTEE OF THE MERRILL LYNCH & CO., INC EMPLOYEE STOCK OWNERSHIP PLAN),

Defendants.

Case No. 07-CV-10661

CARL ESPOSITO, individually and on behalf  
of all others similarly situated,

Plaintiff,

**V.**

MERRILL LYNCH & CO., INC.; E.  
STANLEY O'NEAL, CAROL T. CHRIST,  
ARMANDO M. CODINA, VIRGIS W.  
COLBERT, JILL K. CONWAY, ALBERTO  
CRIBIORE, JOHN D. FINNEGAN, JUDITH  
MAYHEW JONAS, DAVID K.  
NEWBIGGING, AULANA L. PETERS,  
JOSEPH W. PRUEHER, ANN N. REESE,  
CHARLES O. ROSSOTTI, LOUIS  
DIMARIA, PETER STINGI and JOHN AND  
JANE DOES 1-20,

Defendants.

Case No. 07-CV-10687 (JGK)

SEAN SHAUGHNESSEY, individually and  
on behalf of all others similarly situated,

Plaintiff,

V.

MERRILL LYNCH & CO., INC., MERRILL LYNCH & CO., INC. INVESTMENT COMMITTEE, MANAGEMENT DEVELOPMENT AND COMPENSATION COMMITTEE OF THE MERRILL LYNCH & CO., INC. BOARD OF DIRECTORS, THE MERRILL LYNCH TRUST COMPANY, FSB, ADMINISTRATIVE COMMITTEE OF THE MERRILL LYNCH & CO., INC. 401K SAVINGS AND INVESTMENT PLAN, LOUIS DIMARIA, ARMANDO M. CODINA, VIRGIS W. COLBERT, ALBERTO CRIBIORE, JOHN D. FINNEGAN, AULANA L. PETERS, and JOHN DOES 1-40,

Case No. 07-CV-10710

**Defendants.**

:

BARBARA BOLAND, individually and on behalf of all others similarly situated,

Plaintiff,

V.

MERRILL LYNCH & CO., INC.; E.  
STANLEY O'NEAL, CAROL T. CHRIST,  
ARMANDO M. CODINA, VIRGIS W.  
COLBERT, JILL K. CONWAY, ALBERTO  
CRIBIORE, JOHN D. FINNEGAN, JUDITH  
MAYHEW JONAS, DAVID K.  
NEWBIGGING, AULANA L. PETERS,  
JOSEPH W. PRUEHER, ANN N. REESE,  
CHARLES O. ROSSOTTI, and JOHN AND  
JANE DOES 1-20,

**Defendants.**

Case No. 07-CV-11054 (MGC)



PLEASE TAKE NOTICE that Plaintiff Mary Gidaro will move this Court on Thursday, January 3, 2008, at 2:15 p.m., before the Honorable Leonard B. Sand, at the United States Courthouse, 500 Pearl Street, New York, New York, in Courtroom 15-A, for the reasons set forth in the accompanying Memorandum of Law, for an Order consolidating the above-captioned actions and appointing interim counsel for the class.

DATED: December 12, 2007

Respectfully submitted,

SHALOV STONE BONNER & ROCCO LLP

By: /s/ Ralph M. Stone

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**CERTIFICATION**

This is to certify that the foregoing notice of motion, supporting memorandum of law, and accompanying proposed order were served, on this twelfth day of December, 2007, via electronic mail, to all persons on the attached service list.

/s/ Thomas G. Ciarlone, Jr.  
Thomas G. Ciarlone, Jr.

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